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REQUEST FOR THE INCLUSION OF AN ADDITIONAL ITEM IN THE AGENDA OF THE FORTY-SIXTH SESSION

CRISIS OF DEMOCRACY AND HUMAN RIGHTS IN HAITI

Letter dated 3 October 1991 from the Permanent Representative of Honduras to the United Nations addressed to the Secretary-General

I have the honour, in my capacity as Chairman of the Latin American and Caribbean group, to request, in accordance with rule 15 of the Rules of Procedure of the General Assembly, the inclusion of an additional item entitled "Crisis of democracy and human rights in Haiti", in the agenda of this session of the General Assembly.

For your information and in accordance with rule 20 of the Rules of Procedure, I am enclosing an explanatory memorandum providing ample data in support of this request (annex). In view of the urgent nature of the issue, I respectfully request that the item be considered with in plenary meeting, as soon as possible.

(Signed) Roberto FLORES BERMUDEZ
Ambassador
Permanent Representative

ANNEX

Explanatory Memorandum

1. As is well known, by resolution 45/2 dated 16 October 1990, the United Nations General Assembly, contributed to a democratic electoral process in Haiti. The resolution requested the Secretary-General inter alia, in cooperation with regional organizations and Member States, to provide the broadest possible support to the Government of Haiti with a view to sending a group of observers in connection with the electoral process that was to take place in that country.

2. Both the Haitian people and the international community expressed keen satisfaction at the successful implementation of that electoral process.

3. As a result, Jean-Bertrand Aristide was elected president - the first person to be democratically elected president of Haiti - and was sworn in on 7 February 1991. Various countries and international organizations provided resources and economic and technical cooperation to help ease the difficult situation prevailing in Haiti.

4. On Monday, 30 September 1991, the world learned with surprise and indignation that the constitutionally elected President had been deposed in a brutal military action. The action triggered protests both in Haiti and in the major cities of other countries.

5. At the request of the Government of Venezuela, the Organization of American States (OAS), by decision of the Permanent Council, convened an ad hoc meeting of Ministers For Foreign Affairs on 30 September 1991, pursuant to resolution 1080 (XXI-0/91) to consider the situation in Haiti. The President of Haiti, Jean-Bertrand Aristide, made a statement before the ad hoc meeting of ministers and the latter, in accordance with the Santiago Commitment approved in June 1991, adopted the enclosed resolution.

6. This resolution, aside from condemning the events that have taken place, calling for the restoration of the constitutional order and therefore of the Government elected by the people, adopts a series of measures and actions which seek, specifically, to bring about the restoration of the democratic Government in that country.

7. In addition, the Governments of our region have individually expressed their repudiation of the unacceptable action which has interrupted democratic life in Haiti.

8. Given the undertaking assumed by the United Nations General Assembly to contribute to the electoral process in Haiti, given the sovereign right of that people to determine its own destiny and bearing in mind the efforts which the people of Haiti have made to consolidate their democratic institutions, and given, also, the serious events that have taken place in Haiti, to which

ample reference has been made, it is essential that the item entitled "Crisis of democracy and human rights in Haiti" be included in the agenda of the present regular session of the General Assembly, in accordance with rule 15 of the Rules of Procedure.

9. The urgency of this request is obvious. The constitutional order has been brutally overthrown, the media are reporting that many lives have been lost and that repressive measures are being taken in an effort to consolidate the perpetrators of the coup.

10. Accordingly, there is an urgent need for the Haitian people to feel that the international community supports their legitimate democratic aspirations and that, at the same time for those who have usurped power to know that their inadmissible behaviour cannot succeed. It will not succeed.

APPENDIX

MRE/RES. 1/91

SUPPORT TO THE DEMOCRATIC GOVERNMENT OF HAITI

THE AD HOC MEETING OF MINISTERS OF FOREIGN AFFAIRS,

HAVING SEEN:

The resolution of the Permanent Council of September 30, 1991, convoking an ad hoc Meeting of Ministers of Foreign Affairs, pursuant to resolution AG/RES. 1080 (XXI-O/91), in response to the gravity of the events that have taken place in Haiti;

The Santiago Commitment to Democracy and the Renewal of the Inter-American System, approved at the twenty-first regular session of the General Assembly, held at Santiago, Chile, in June 1991; and

Resolution AG/RES. 1117 (XXI-O/91) "Support for the Democratic Process in the Republic of Haiti";

HAVING HEARD:

The statement made to this meeting by the President of Haiti, Mr. Jean-Bertrand Aristide;

REAFFIRMING:

That the true significance of American solidarity and good neighbourliness can only mean the consolidation in this hemisphere, within the framework of democratic institutions, of a system of individual liberty and social justice based on respect for the essential rights of man;

That one of the essential purposes of the Organization of American States is to promote and consolidate representative democracy, with due respect for the principle of nonintervention; and

That the solidarity of the American states and the high aims which are sought through it require the political organization of those states on the basis of the effective exercise of representative democracy;

CONSIDERING:

That the grave events that have occurred in Haiti constitute an abrupt, violent, and irregular disruption of the legitimate exercise of power by the democratic government of that country;

That these events represent disregard for the legitimate Government of Haiti, which was constituted by the will of its people freely expressed in a

free and democratic electoral process under international observation with the participation of this Organization; and

That those events have compelled President Jean-Bertrand Aristide to leave Haitian territory temporarily and against his will,

RESOLVES:

1. To reiterate the vigorous condemnation voiced by the Permanent Council of the grave events taking place in Haiti, which deny the right of its people to self-determination, and to demand full restoration of the rule of law and of constitutional order and the immediate reinstatement of President Jean-Bertrand Aristide in the exercise of his legitimate authority.

2. To request that the Secretary General of the Organization, together with a group of Ministers of Foreign Affairs of member states, go to Haiti immediately to inform those who hold power illegally that the American states reject the disruption of constitutional order and to advise them of the decisions adopted by this meeting.

3. To recognize the representatives designated by the constitutional Government of President Jean-Bertrand Aristide as the only legitimate representatives of the Government of Haiti to the organs, agencies, and entities of the inter-American system.

4. To urge the Inter-American Commission on Human Rights, in response to President Jean-Bertrand Aristide's request, to take immediately all measures within its competence to protect and defend human rights in Haiti and to report thereon to the Permanent Council of the Organization.

5. To recommend, with due respect for the policy of each member state on the recognition of states and governments, action to bring about the diplomatic isolation of those who hold power illegally in Haiti.

6. To recommend to all states that they suspend their economic, financial, and commercial ties with Haiti and any aid and technical cooperation except that provided for strictly humanitarian purposes.

7. To request the Secretary-General of the Organization to pursue efforts to increase the Inter-American Fund for Priority Assistance to Haiti, but to refrain from using it so long as the present situation prevails.

8. To recommend to the General Secretariat of the Organization the suspension of all assistance to those who hold power illegally in Haiti and to request the regional organs and institutions, such as the Caribbean Community (CARICOM), the Inter-American Development Bank, the Inter-American Institute for Cooperation on Agriculture, and the Latin American Economic System (SELA), to adopt the same measure.

9. To urge all states to provide no military, police, or security assistance of any kind and to prevent the delivery of arms, munitions, or equipment to that country in any manner, public or private.

10. To keep open the ad hoc Meeting of Ministers of Foreign Affairs to receive, with the urgency that this situation demands, the report of the Mission referred to in operative paragraph 2 of this resolution and to adopt, in accordance with the Charter of the OAS and international law, any additional measures that may be necessary and appropriate to ensure the immediate reinstatement of President Jean-Bertrand Aristide to the exercise of his legitimate authority.

11. To transmit this resolution to the United Nations and its specialized agencies and to urge them to consider its spirit and aims.